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certificate data sheets have been issued; or

(ii) Is identical to a type certificated product specified in paragraph (b)(1)(i) of this section in all respects except as is otherwise acceptable to the civil aviation authority of the importing state.

(2) A Class II product is a major component of a Class I product (e.g., wings, fuselages, empennage assemblies, landing gears, power transmissions, control surfaces, etc), the failure of which would jeopardize the safety of a Class I product; or any part, material, or appliance, approved and manufactured under the Technical Standard Order (TSO) system in the "C" series.

(3) A Class III product is any part or component which is not a Class I or Class II product and includes standard parts, i.e., those designated as AN, NAS, SAE, etc.

(4) The words "newly overhauled" when used to describe a product means that the product has not been operated or placed in service, except for functional testing, since having been overhauled, inspected and approved for return to service in accordance with the applicable Federal Aviation Regulations.

[Amdt. 21-2, 30 FR 11375, July 2, 1965, as amended by Amdt. 21-48, 44 FR 15649, Mar. 15, 1979]

§ 21.323 Eligibility.

(a) Any exporter or his authorized representative may obtain an export airworthiness approval for a Class I or Class II product.

(b) Any manufacturer may obtain an export airworthiness approval for a Class III product if the manufacturer—

(1) Has in his employ a designated representative of the Administrator who has been authorized to issue that approval; and

(2) Holds for that product—

(i) A production certificate;

(ii) An approved production inspection system;

(iii) An FAA Parts Manufacturer Approval (PMA); or

(iv) A Technical Standard Order authorization.

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§ 21.325 Export airworthiness approvals.

(a) *Kinds of approvals.* (1) Export airworthiness approval of Class I products is issued in the form of Export Certificates of Airworthiness, FAA Form 8130-4. Such a certificate does not authorize the operation of aircraft.

(2) Export airworthiness approval of Class II and III products is issued in the form of Airworthiness Approval Tags, FAA Form 8130-3.

(b) *Products which may be approved.* Export airworthiness approvals are issued for—

(1) New aircraft that are assembled and that have been flight-tested, and other Class I products located in the United States, except that export airworthiness approval may be issued for any of the following without assembly or flight-test:

(i) A small airplane type certificated under Part 3 or 4a of the Civil Air Regulations, or Part 23 of the Federal Aviation Regulations, and manufactured under a production certificate;

(ii) A glider type certificated under § 21.23 of this part and manufactured under a production certificate; or

(iii) A normal category rotorcraft type certificated under Part 6 of the Civil Air Regulations or Part 27 of the Federal Aviation Regulations and manufactured under a production certificate.

(2) Used aircraft possessing a valid U.S. airworthiness certificate, or other used Class I products that have been maintained in accordance with the applicable CAR's or FAR's and are located in a foreign country, if the Administrator finds that the location places no undue burden upon the FAA in administering the provisions of this regulation.

(3) Class II and III products that are manufactured and located in the United States.

(c) *Export airworthiness approval exceptions.* If the export airworthiness approval is issued on the basis of a written statement by the importing state as provided for in § 21.327(e)(4), the requirements that are not met and the differences in configuration, if any, between the product to be exported and the related type certificated product,